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7 Attorneys for Defendants
Heaven on Earth Moving Services,
8 Rush Truck Leasing, and
Samuel Wingard

TERESITA VELASQUEZ, individually

Plaintiff,

VS.

SAMUEL WINGARD, individually; RUSH
TRUCK LEASING, a Foreign Corporation;
HEAVEN ON EARTH MOVING
SERVICES, a Foreign Limited Liability
Company; DOE DEFENDANT 1 – 10, ROE
CORPORATIONS 1 – 10 inclusive.

19 Defendants.

CASE NO: 2:22-cv-00459-ART-DJA

ORDER APPROVING

**STIPULATION AND ORDER
FOR DISMISSAL WITH
PREJUDICE OF PLAINTIFF'S
CLAIMS AGAINST DEFENDANT
RUSH TRUCK LEASING ONLY**

21 IT IS HEREBY STIPULATED, by and between Plaintiff TERESITA VELASQUEZ
22 ("Plaintiff"), by and through her counsel of record SAMANTHA A. MARTIN, ESQ of
23 RICHARD HARRIS LAW FIRM, and Defendant RUSH TRUCK LEASING ("Defendant")
24 by and through its counsel of record, MICHAEL C. MILLS, ESQ. of BAUMAN LOEWE
25 WITT & MAXWELL, PLLC LLP, that the above-captioned matter having been amicably
26 resolved between Plaintiff and Defendant RUSH TRUCK LEASING, the same may be
27 dismissed with prejudice as to Defendant RUSH TRUCK LEASING ONLY, with Plaintiff
28 and Defendant RUSH TRUCK LEASING, each party to bear their own attorneys' fees

**STIPULATION & ORDER FOR DISMISSAL WITH PREJUDICE OF PLAINTIFF'S CLAIMS
AGAINST DEFENDANT RUSH TRUCK LEASING ONLY**

1 and costs.

2 IT IS FURTHER STIPULATED that the Defendant RUSH TRUCK LEASING's
3 Motion to Dismiss Pursuant to FED. R. CIV. P. 12(b)(6) [ECF] may be withdrawn in light
4 of Plaintiff agreeing to Dismiss Defendant RUSH TRUCK LEASING based upon 49
5 U.S.C. § 30106(a) (The Graves Amendment).

6 IT IS SO STIPULATED.

7 Dated this 27th day of April 2022.

Dated this 27th day of April 2022.

8 RICHARD HARRIS LAW FIRM

BAUMAN LOEWE WITT & MAXWELL

9 /s/ *Samantha Martin, Esq.*

10 /s/ *Michael C. Mills, Esq.*

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16 Attorneys for Defendants Samuel
17 Wingard, Rush Truck Leasing, and
Heaven on Earth Moving Services

ORDER

18 Based on the parties stipulation, and good cause appearing,

19 IT IS ORDERED that defendant RUSH TRUCK LEASING is dismissed with
20 prejudice, each party to bear their own attorneys' fees and costs.

21 IT IS FURTHER ORDERED that the defendant Rush Truck Leasing's Motion to
22 Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) (ECF No. 9) is withdrawn in light of
23 Plaintiff agreeing to dismiss defendant Rush Truck Leasing based upon
24 49 U.S.C § 30106(a) (The Graves Amendment).

25 Dated: May 2, 2022



26 ANNE R. TRAUM
27 UNITED STATES DISTRICT JUDGE